

Appeal # EPA-HQ-2017-009508

Exemption 6: Personal privacy information.

Assignment History

Event	Timestamp	Performed By	Assigned Agency	Assigned User
Create	07/18/2017 07:52 AM	Judith Lewis	EPA/HQ/OGC	
Save	07/18/2017 03:28 PM	Shirley Blair		Lynn E. Kelly
Save	07/21/2017 11:20 AM	Lynn E. Kelly		Matthew Schwarz

Appeal Details

Tracking Number : EPA-HQ-2017-009508
Requester : Mr. James Chelmowski
Organization : N/A
Requester Has Account : Yes
Created on behalf of : N/A
Email Address : [REDACTED]
Phone Number : N/A
Fax Number : N/A
Address : [REDACTED]
City : [REDACTED]
State/Province : [REDACTED]
Zip Code/Postal Code : [REDACTED]

Submitted Date : 07/18/2017
Received Date : 07/18/2017
Last Assigned Date : 07/21/2017
Appeal Track : Simple
Due Date : 08/15/2017
Assigned To : Matthew Schwarz (OGC)
Last Assigned By : Lynn E. Kelly (OGC)

Case Details

Type of Case : FOIA
Fiscal Year : 2017
Total Days Pending : 16
Final Disposition : Closed for other reasons --
Other
Other Disposition : Appeal Withdrawn
Appeal Exemptions : N/A

Business Date of Receipt : 07/18/2017
Clock Initially Started On : 07/18/2017
Closed Date : 08/09/2017

Case Responsive Records

No records have been uploaded.

Appeal # EPA-HQ-2017-009508

Appeal Handling

Requester Info ☐ Yes ☐ No

Available to the Public :

Appeal Track : **Simple** ☐

Fee Category : N/A

Based on Fee Waiver : ☐

Based on Expedited ☐

Processing :

Appeal Received : Yes

Received Date : 07/18/2017

Acknowledgement Sent **7/18/17** 

Date:

Litigation : **No** ☐

Basis for Appeal

Short Description :

Appealing Response Time Over Due -- past the stated due dates.

Basis Available to the Public : **No** ☐



Has Basis Been Modified? ☒

1594/2000

Original Appeal was filed by someone other than the requester See below: Appealing Response Time Over Due -- past the stated due dates. Requester Appeal for EPA-HQ-2017-008256 Full Appeal is attached Summary is: A) EPA refusal to 5 USC 552(a)(6)(i)(I) the [requester's] right of such person to seek assistance from the FOIA Public Liaison of the agency ; B) EPA refusal to investigate apparent fraudulent appeal filed on July 18, 2017; The EPA Refusal to produce all responsive records pursuant to both FOIA and Privacy Act . The Requester identified the EPA system of records ERA-9 and EPA-GOVT-2; Arguments include : 1) The EPA system of records EPA-9 and/or EPA-GOVT-2 or any other EPA system of records does not contain any other agency's FOIAonline records except the EPA. EPA withheld responsive FOIA/Privacy Act records in full.; 2) EPA claims EPA has absolutely no access to the other agencies FOIAonline records in any of the EPA systems of records. EPA withheld responsive FOIA/Privacy Act records in full.; 3) The Four (4) FOIA/Privacy Act responsive pages you provided on July 25, 2017 include all the FOIAonline records, fields, entries, status changes, assignments, case file, comments, logs, notes, etc. as requested in the FOIA/Privacy Act request. EPA withheld responsive FOIA/Privacy Act records in full.; 4) EPA completed the FOIA/Privacy Act request EPA-HQ-2017-008256 in complete compliance of both FOIA 5 USC § 552 and Privacy Act 5 USC § 552a. EPA withheld responsive FOIA/Privacy Act records in full. See attached Full Appeal with Exhibits

Attached Supporting Files

Attachments Available to the Public : **No** ☐

Attached File	Type	Size (MB)	Remove
FOIA -- APPEAL of 7-18-2017 of EPA-HQ-2017-008255 fr Jim Chelmowski.pdf	PDF	0.32	
EPA Appeal from Requester EPA-HQ-2017-008256.pdf	PDF	1.79	

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Assigned Tasks

Outcome	Assigned To	Assigned By	Creation Date	Due Date	Closed Date	Notification	Detail
Completed	Matthew Schwarz	Matthew Schwarz	08/09/2017	08/09/2017	08/09/2017	<input type="checkbox"/>	

Description : Final Disposition Notice

Comments : N/A



Assigned Reviewers

No reviewers have been assigned.

Correspondence to Requester

2 items found, displaying all items.

1

Subject	From	To	Date	Detail	Remove
Final Disposition, Appeal EPA-HQ-2017-009508	Matthew Schwarz	James Chelmowski	08/09/2017		

Mr. Chelmowski-

Please refer to the attached letter in response to your July 30, 2017 letter regarding two FOIA appeals. EPA is closing both appeals. You will also receive this letter by Certified Mail

Thanks for your patience while we resolved this issue.

 [Chelmowski Response 8.9.17.pdf](#), PDF, 0.40 MB [\(remove\)](#)

FOIA Appeal EPA-HQ-2017-009508 Submitted

System

James Chelmowski

07/18/2017



This message is to notify you of a new appeal submission to the FOIAonline application. Appeal information is as follows:





- Appeal Tracking Number: EPA-HQ-2017-009508
- Request Tracking Number: EPA-HQ-2017-008256
- Requester Name: James Chelmowski
- Date Submitted: 07/18/2017
- 08/15/2017
- Appeal Status: Submitted
- Description: Appealing Response Time Over Due -- past the stated due dates.

2 items found, displaying all items.

1

Appeal # EPA-HQ-2017-009508

Comments (4)

<i>Date / Time</i>	<i>User Name</i>		<i>Edit</i>	<i>Remove</i>	<i>Detail</i>
08/09/2017 03:25 PM	Matthew Schwarz				
The request's FOIA Officer, "gottesman.larry@epa.gov", was sent a notification email that this appeal has been given the final disposition, "Closed for other reasons -- Other -- Appeal Withdrawn".					
07/21/2017 11:20 AM	Lynn E. Kelly				
The request's FOIA Officer, "gottesman.larry@epa.gov", was sent a notification email that this appeal has been assigned to schwarz.matthew@epa.gov.					
07/21/2017 11:20 AM	Lynn E. Kelly				
Appeal 2/2 for assignment.					
07/18/2017 03:28 PM	Shirley Blair				
The request's FOIA Officer, "gottesman.larry@epa.gov", was sent a notification email that this appeal has been assigned to Kelly.Lynn@epa.gov.					

Admin Cost

No entries have been added.